

NO. 38

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

WEDNESDAY, MARCH 13, 2019

Wednesday, March 13, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

1 Samuel 12:23

“Far be it for me that I should sin against the lord in ceasing to pray for you all.”

Let us pray. Almighty God, You are the ultimate judge of all of us. Forgive us, we pray, for our propensity to judge others with whom we disagree. Awaken us to the danger for our spiritual lives that results from neglect of prayer for our adversaries. Sometimes we think our disagreement justifies our lack of prayer for them. Often Lord, we self righteously neglect in our prayers the very people who need Your blessing. Let not our hearts be hardened by this resentment but rather free us from the burden of keeping score. Empower us with a heart that extends forgiveness to others in the same manner that we so often desire forgiveness for ourselves. Through the power of Your holy spirit we pray, Amen.

Point of Quorum

At 12:03 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Cromer	Davis	Grooms
Harpootlian	Hembree	Hutto
Malloy	Martin	Massey
Nicholson	Peeler	Reese
Rice	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams

WEDNESDAY, MARCH 13, 2019

A quorum being present, the Senate resumed.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Motion to Ratify Adopted

At 12:06 P.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 89	Sen. Sabb
S. 179	Sen. Grooms
S. 240	Campsen
S. 298	Sens. McElveen, Rankin, J. Matthews, McLeod and M.B. Matthews
S. 508	Sens. Cromer and J. Matthews
S. 510	Sen. Cromer
S. 511	Sen. Cromer
S. 574	Sen. Hutto
S. 638	Sen. Hutto
S. 642	Sen. Gregory
S. 653	Sen. Martin

RECALLED

H. 3015 -- Reps. McDaniel, King and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 32 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "COUNTY COUNCILMEN DAVID BROWN & CARNELL MURPHY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

WEDNESDAY, MARCH 13, 2019

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3928 -- Reps. Sottile, Gilliard, McCoy, Mack, Hewitt, Pendarvis, Bennett, Cogswell, Mace and Brown: A CONCURRENT RESOLUTION TO REQUEST THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RENAME THE PORTION OF THE NAVIGATIONAL CHANNEL ADJACENT TO THE CITY OF CHARLESTON WATERFRONT CONSISTING OF THE CHARLESTON MARITIME CENTER, INTERNATIONAL AFRICAN AMERICAN MUSEUM, AND THE PEDESTRIAN WALKWAY OF THE ARTHUR RAVENEL, JR. BRIDGE TO "RILEY REACH" IN ORDER TO HONOR THE LEGACY OF MAYOR JOSEPH P. RILEY, JR.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 644 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DANAE MCNEAL ON BEING NAMED THE 2018-2019 GATORADE GIRLS' BASKETBALL PLAYER OF THE YEAR FOR SOUTH CAROLINA.

l:\s-res\ngs\008dana.kmm.ngs.docx

The Senate Resolution was adopted.

S. 645 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE MOUNT CALVARY BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED TWENTY-FIRST ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN HARTSVILLE, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.

l:\s-res\gm\041mt c.kmm.gm.docx

WEDNESDAY, MARCH 13, 2019

The Senate Resolution was adopted.

S. 646 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE REVEREND EDWARD J. SQUIRE UPON THE OCCASION OF HIS TWENTIETH ANNIVERSARY AS PASTOR OF MOUNT CALVARY BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE COMMUNITY OF HARTSVILLE.

l:\s-res\gm\040reve.kmm.gm.docx

The Senate Resolution was adopted.

S. 647 -- Senator Martin: A BILL TO AMEND SECTION 12-6-3750(A) OF THE 1976 CODE, RELATING TO A NONREFUNDABLE TAX CREDIT FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, TO INCLUDE WILD HOGS.

l:\s-res\srm\009hogs.sp.srm.docx

Read the first time and referred to the Committee on Finance.

S. 648 -- Senators Cash, Shealy, Cromer, Hembree, Climer, Grooms, Senn, Talley, Rice and Gambrell: A BILL TO AMEND ARTICLE 1, CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING SECTION 44-41-65, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, PURCHASE, DONATE, ACCEPT, OR EXPERIMENT UPON THE REMAINS OF A CHILD OR AN UNBORN CHILD RESULTING FROM AN ABORTION, OR TO PERFORM OR OFFER TO PERFORM AN ABORTION FOR THE PURPOSE OF RESEARCH, AND TO PROVIDE PENALTIES.

l:\s-res\rjc\002proh.kmm.rjc.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 649 -- Senator Alexander: A BILL TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020 TO JULY 1, 2020.

l:\s-res\tca\021real.kmm.tca.docx

WEDNESDAY, MARCH 13, 2019

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 650 -- Senators Turner, Grooms, Shealy and Talley: A BILL TO AMEND ARTICLE 1, CHAPTER 53, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, BY ADDING SECTION 59-53-45, TO PROVIDE FOR A WORKFORCE DIPLOMA PROGRAM, TO PROVIDE CRITERIA FOR ELIGIBLE PROVIDERS TO PARTICIPATE IN THE PROGRAM, TO PROVIDE FOR THE REIMBURSEMENT OF PROVIDERS, TO PROVIDE REPORTING REQUIREMENTS, AND TO DEFINE NECESSARY TERMS.

l:\s-res\rt\010adul.kmm.rt.docx

Read the first time and referred to the Committee on Education.

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dfs\31537c19.docx

Read the first time and ordered placed on the Calendar without reference.

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bills\dfs\31536cz19.docx

Read the first time and ordered placed on the Calendar without reference.

S. 653 -- Senators McElveen and Martin: A BILL TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-546, TO PROVIDE FOR AN ELECTRONIC HARVEST REPORTING

WEDNESDAY, MARCH 13, 2019

SYSTEM, TO PROVIDE REQUIREMENTS FOR REPORTING THE HARVEST OF A WILD TURKEY, AND TO PROVIDE PENALTIES.
l:\s-res\jtm\010turk.sp.jtm.docx

Read the first time and, on motion of Senator MARTIN, with unanimous consent, S. 653 was ordered placed on the Calendar without reference.

S. 654 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER AS "HUNGER ACTION MONTH" IN SOUTH CAROLINA.

l:\s-res\tca\022hung.kmm.tca.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

l:\council\bills\nbd\11261dg19.docx

Senator MALLOY spoke on the Bill.

Read the first time and referred to the Committee on Finance.

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

[SJ]

WEDNESDAY, MARCH 13, 2019

Read the first time and referred to the Committee on Finance.

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Read the first time and referred to the Committee on Finance.

H. 4234 -- Rep. Lucas: A CONCURRENT RESOLUTION TO WELCOME TO THE PALMETTO STATE THE HONORABLE GUDRUN YNGVADOTTIR, INTERNATIONAL PRESIDENT OF LIONS CLUBS INTERNATIONAL, ON THE OCCASION OF THE 95TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 11 -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976

WEDNESDAY, MARCH 13, 2019

CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 252 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DESIGNATE THE MONTH OF JUNE OF EVERY YEAR AS "SALKEHATCHIE SUMMER SERVICE MONTH" IN SOUTH CAROLINA.

Ordered for consideration tomorrow.

WEDNESDAY, MARCH 13, 2019

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT

WEDNESDAY, MARCH 13, 2019

BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 552 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019 AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THAT THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO

WEDNESDAY, MARCH 13, 2019

CHAPTER 1, TITLE 25 SO AS TO ENACT THE “SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT”; TO DEFINE THE ACT’S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE “YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006”, SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF “ALTERNATIVE NICOTINE PRODUCT”, SO AS TO CHANGE THE DEFINITION.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION’S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION

WEDNESDAY, MARCH 13, 2019

25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 478 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 16, 2019, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

Returned with concurrence.

Received as information.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator MARTIN, the Privilege of the Chamber, to that area behind the rail, was extended to Adom Appiah in recognition of his vision and commitment to charitable causes around South Carolina.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill, as amended, was read the third time and ordered sent to the House of Representatives:

S. 214 -- Senators Kimpson, Sheheen, Gregory, Campsen and Scott:
A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,

WEDNESDAY, MARCH 13, 2019

1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN proposed the following amendment (214R008.SP.VAS), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. The General Assembly finds:

(1) the South Carolina Sales and Use Tax Act requires any person engaged in business as a retailer to remit the sales and use tax on all retail sales of tangible personal property not otherwise excluded or exempted from the tax. This requirement applies to all retail sales of tangible personal property by the retailer, whether the tangible personal property is owned by the retailer or another person. Retailers selling tangible personal property at retail on consignment, by auction, or in any other manner must remit the sales and use tax on such retail sales;

(2) the Internet marketplaces where a person sells tangible personal property at retail by listing or advertising, or allowing the listing or advertising of, another person's products on an online marketplace and collects or processes the payment from the customer are retailers required to remit the sales and use tax on such retail sales under the provisions of South Carolina sales and use tax law;

(3) with the changing economy and ever expanding role of the Internet in the retail market, the longstanding requirement in the sales and use tax law that a retailer remit the tax on retail sales of tangible personal property owned by another person must apply to all retailers, including both Internet retailers and brick and mortar retailers;

(4) retailers selling another person's tangible personal property on the Internet must clearly understand and be informed of their requirements to remit the sales and use tax in the same manner as retailers selling another person's tangible personal property in a brick and mortar store; and

WEDNESDAY, MARCH 13, 2019

(5) this act shall not be construed as a statement concerning the applicability of the South Carolina Sales and Use Tax Act to any sales and use tax liability in matters currently in litigation or being audited.

SECTION 2. Article 1, Chapter 36, Title 12 of the 1976 Code is amended by adding:

“Section 12-36-71. (A)(1) ‘Marketplace facilitator’ means any person engaged in the business of facilitating a retail sale of tangible personal property by:

(a) listing or advertising, or allowing the listing or advertising of, the products of another person in any marketplace where sales at retail occur; and

(b) collecting or processing payments from the purchaser, either directly or indirectly through an agreement or arrangement with a third party.

(2) If a person meets the criteria set forth in item (1), then that person is a marketplace facilitator regardless of whether the person receives compensation or other consideration in exchange for his services.

(B) A marketplace may be physical or electronic and includes, but is not limited to, any space, store, booth, catalog, website, television or radio broadcast, or similar place, medium, or forum.

(C) For purposes of subsection (A), a marketplace facilitator includes any related entities assisting the marketplace facilitator in sales, storage, distribution, payment collection, or in any other manner, with respect to the marketplace.

(D) When a marketplace facilitator is comprised of multiple entities, the entity that lists or advertises, or allows the listing or advertising of, the products sold at retail in the marketplace is the entity responsible for remitting the sales and use tax to the State.”

SECTION 3. Section 12-36-70 of the 1976 Code is amended by adding a new item before the last undesignated paragraph to read:

“(3) operating as a marketplace facilitator, as defined in Section 12-36-71.”

SECTION 4. Section 12-36-90(1)(a) of the 1976 Code is amended to read:

“(a) the proceeds from the sale of property sold on consignment by the taxpayer, including property sold through a marketplace by a marketplace facilitator;”

SECTION 5. Section 12-36-130(1) of the 1976 Code is amended by adding a new subitem to read:

WEDNESDAY, MARCH 13, 2019

“(c) the proceeds from the sale of property sold on consignment by the taxpayer, including property sold through a marketplace by a marketplace facilitator.”

SECTION 6. Section 12-36-1340 of the 1976 Code is amended to read:

“Section 12-36-1340. Each seller making retail sales of tangible personal property for storage, use, or other consumption in this State shall collect and remit the tax in accordance with this chapter and shall obtain from the department a retail license as provided in this chapter, if the retail seller:

(1) maintains a place of business;

(2) qualifies to do business;

(3) solicits and receives purchases or orders by an agent, ~~or salesman~~ an independent contractor, a representative, an Internet website, or any other means; ~~or~~

(4) distributes catalogs, or other advertising matter, and by reason of that distribution receives and accepts orders from residents within the State;

(5) operates as a marketplace facilitator; or

(6) meets constitutional standards for economic nexus with South Carolina for purposes of the sales and use tax.”

SECTION 7.-This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	McElveen
Nicholson	Peeler	Reese
Rice	Sabb	Scott

WEDNESDAY, MARCH 13, 2019

Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

**Total--38
NAYS**

Total--0

The amendment was adopted.

Senator LEATHERMAN spoke on the Bill.
Senator CLIMER spoke on the Bill.

Remarks to be Printed

On motion of Senator GOLDFINCH, with unanimous consent, the remarks of Senator CLIMER, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator JOHNSON spoke on the Bill.
Senator MARTIN spoke on the Bill.

Remarks to be Printed

On motion of Senator SHEALY, with unanimous consent, the remarks of Senator MARTIN, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator BENNETT spoke on the Bill.

Remarks to be Printed

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator BENNETT, when reduced to writing and made available to the Desk, would be printed in the Journal.

The question then being third reading of the Bill as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 3

AYES

Alexander	Allen	Bennett
-----------	-------	---------

[SJ]

WEDNESDAY, MARCH 13, 2019

Campbell	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Turner
Verdin	Williams	Young

Total--42

NAYS

Climmer	Grooms	Talley
---------	--------	--------

Total--3

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Statement by Senator TALLEY

South Carolina needs true tax reform. I agree with many comments made in this debate about taxes owed needing to be paid and creating, as this Bill purports to do, in part, a level playing field for brick and mortar stores vs. online retailers. However, this Bill contemplates a growth in state revenue which gives the General Assembly more money to spend in the state budget. I am fearful that all of this money will be spent without a true analysis of state expenditures or any rebate to taxpayers.

Expression of Personal Interest

Senator SETLZER rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator SABB, with unanimous consent, the remarks of Senator SETZLER, when reduced to writing and made available to the Desk, would be printed in the Journal.

WEDNESDAY, MARCH 13, 2019

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, when reduced to writing and made available to the Desk, would be printed in the Journal.

AMENDMENT PROPOSED, OBJECTION

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian and Kimpson: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The Senate proceeded to the consideration of the Bill.

Senator MALLOY spoke the Bill.

Senator GOLDFINCH spoke on the Bill.

Senator KIMPSON proposed the following amendment (JUD0007.019):

Amend the committee report, as and if amended, page [7-2], by striking line 3, and inserting therein the following:

/ Insurance Reserve Fund's internet website.

(7) Notwithstanding the liability limits outlined in Section 15-78-120(a)(1) through (a)(4), where one or more claimants individually and in a representative capacity, have brought a claim or claims seeking actual damages against one or more governmental entities, and where a court has certified those claims for actual damages as a class action, there shall not be a limit on the actual damages recoverable by the named claimant or claimants, or by the members of any such class." /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator MASSEY spoke on the amendment.

WEDNESDAY, MARCH 13, 2019

Senator JACKSON objected to further consideration of the Bill.

CARRIED OVER

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO

WEDNESDAY, MARCH 13, 2019

AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN

WEDNESDAY, MARCH 13, 2019

PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

Objection

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

Senator MALLOY objected.

On motion of Senator MALLOY, the Bill was carried over.

WEDNESDAY, MARCH 13, 2019

OBJECTION

S. 259 -- Senators Goldfinch, Campsen, Kimpson and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

Senator SCOTT objected to consideration of the Bill.

CARRIED OVER

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

On motion of Senator RANKIN, the Bill was carried over.

CARRIED OVER

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

On motion of Senator HUTTO, the Bill was carried over.

WEDNESDAY, MARCH 13, 2019

OBJECTION

S. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

Senator MARTIN explained the Bill.

Senator M.B. MATTHEWS moved to carry over the Bill.

Senator M.B. MATTHEWS objected to further consideration of the Bill.

READ THE SECOND TIME

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

WEDNESDAY, MARCH 13, 2019

The Senate proceeded to the consideration of the Bill.

Senator MARTIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3127 -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD

WEDNESDAY, MARCH 13, 2019

IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

The Senate proceeded to the consideration of the Resolution.

Senator MARTIN explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

WEDNESDAY, MARCH 13, 2019

READ THE SECOND TIME

H. 3987 -- Reps. Gagnon and West: A BILL TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

WEDNESDAY, MARCH 13, 2019

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 162 -- Senators Bennett and Johnson: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING

WEDNESDAY, MARCH 13, 2019

EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3595 -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

WEDNESDAY, MARCH 13, 2019

POINT OF ORDER

H. 3985 -- Reps. Lucas, G.M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:43 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

WEDNESDAY, MARCH 13, 2019

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Frances “Frankie” Newman of Lexington, S.C. Frankie was a graduate of Columbia College and worked in Lexington School District Two for over 60 years as a teacher, coach, guidance counselor, assistant principal, assistant superintendent and substitute teacher. She was an active member of Cayce United Methodist Church where she served on numerous committees. In 2009, she was awarded the Order of the Palmetto. She was inducted to both the Brookland Cayce Athletic and Academic Halls of Fame. Frankie was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 2:45 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

WEDNESDAY, MARCH 13, 2019

SENATE JOURNAL INDEX

S. 7.....	18	S. 648.....	4
S. 11.....	7	S. 649.....	4
S. 132.....	19	S. 650.....	5
S. 136.....	22	S. 651.....	5
S. 162.....	27	S. 652.....	5
S. 189.....	7	S. 653.....	5
S. 206.....	8	S. 654.....	6
S. 214.....	12	S. 655.....	6
S. 252.....	8		
S. 259.....	22	H. 3015.....	2
S. 413.....	9	H. 3127.....	24
S. 440.....	27	H. 3180.....	10
S. 463.....	23	H. 3420.....	11
S. 478.....	12	H. 3438.....	11
S. 486.....	9	H. 3449.....	22
S. 498.....	10	H. 3595.....	28
S. 509.....	27	H. 3928.....	3
S. 525.....	23	H. 3985.....	29
S. 552.....	10	H. 3987.....	26
S. 644.....	3	H. 4000.....	6
S. 645.....	3	H. 4001.....	7
S. 646.....	4	H. 4234.....	7
S. 647.....	4		